

# Fast-Track Approvals Act 2024

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## Covering Memorandum from the Applicant – Updates and Responses

Maitahi Village [FTAA-2502-1009]

11 July 2025

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1. This Memorandum has been prepared to explain and submit:
  - a. the updates made to the subdivision and development plans, and supporting technical assessments, submitted with the Substantive Application, as requested by the Panel in Minute 4<sup>1</sup>;
  - b. the completed set of Version 2 (V2) of the volunteered consent conditions as requested by the Panel in Minute 4<sup>2</sup>;
  - c. the tabulated responses to the comments received from the invited parties (by 25 June 2025).
2. A Dropbox Transfer to these documents is provided with this Memorandum. The numbering of attachments used in the Substantive Application has also been used in the updates contained in this Dropbox Transfer. The label (V2) is used where one of the original documents submitted has been updated or replaced.

### Changes to the Substantive Application

3. Updates and changes have been made to some of the application plans and supporting technical assessments, as summarised in the following:

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<sup>1</sup> Paragraphs 7 and 8 (Minute 4)

<sup>2</sup> Paragraph 5 (Minute 4)

- **Attachment 1(V2).** Fast Track Economic Impact Assessment

2. The '*Economic Impact Assessment*' (by Property Economics Limited) has been updated (now dated July 2025). This updated assessment is provided to address an observation by Save the Maitai Inc, that the initial assessment (January 2025) assumed a construction timeframe of 7 years, as opposed to the 9 years proposed and set out in Attachment 23 '*Anticipated Staging Timeline*'. As per the relevant responses to comments, the Applicant confirms this does not alter the key opinions and conclusions of the initial Economic Impact Assessment.

- **Attachment 3.3.** Stream Mitigation Assessment

3. A '*Stream Mitigation Assessment*' (**SMA**) (Robertson Environmental Limited, dated 10 July 2025) has been prepared in response to some of the comments received. This SMA supplements the Ecological Impact Assessment (Attachment 3.1).

- **Attachment 8.1(V2).** Remediation Action Plan (V4, dated 11/07/2025)

- **Attachment 8.4:** STM Technical Review – CCKV Response

4. The '*Remediation Action Plan*' (**RAP**, V4) has been updated as part of the Applicant's response to comments regarding contaminated land. The updated version is dated 11 July 2025. This updated RAP incorporates the changes necessitated by expert responses to comments made.
5. Attachment 8.4 includes the applicant's multi-disciplinary response to the technical assessment from EHS-Support (dated 24 June 2025). For ease of reference, the responses have been provided by way of "comments" in the margins. Where appropriate and necessary, the responses are reflected in the updated RAP.
6. As part of more clearly showing the spatial distribution of the remediation works and their relationship to the proposed new blue-green corridor in that location, a new plan and cross section has been prepared to illustrate all relevant information. This plan and cross section also serves to address the issues and questions raised by EHS and other external parties. These plans are presented as Figure 8 and 9 in the RAP.

- **Attachment 12(V2) Subdivision Scheme Plan**

7. The '*Subdivision Scheme Plans*' have been updated and are now dated July 2025. The material changes include:

- a) The removal of the multiple and complex arrangement of Local Purpose Reserves within the blue-green corridor, with those reserves now combined and shown as Esplanade Reserve (of at least 40m in width within Lots 500 and 513). The combination of reserves in the blue-green corridor was also requested by the Nelson Council.
- b) Proposed Lot 3000 for the wastewater pump station has increased in size from 243m<sup>2</sup> to 397m<sup>2</sup>.
- c) The water reservoir is no longer located on a separate title to vest in the Nelson City Council given that this is likely to be a temporary part of the water reticulation infrastructure (within Lot 5000). An Easement in Gross has been shown over the right of way and reservoir site to provide for Council access for operation and maintenance purposes.
- d) Lots 5000 and 6000 be retained in stage 11 but as separate titles, thereby ensuring the landfill area (and encapsulation cell) can remain separate from Kākā Hill.
- e) The intersection between Road 5 and Road 2 in Stage 3 has changed so that Road 2 has the priority.
- f) The boundary of 514 and 515 containing the debris bund has been amended to fully contain the debris bund. The purpose of the reserve has changed to 'Protection'.
- g) Reserve in stage 6 has been combined to one lot (Lot 504).

- **Attachment 13(V2) Maitahi Civils**

8. The Maitahi Civils (plan sets) have been reissued in response to the numerous matters raised by the Nelson City Council over the course of the last 4 months. Those issues are identified in the Feedback Table from NCC provided to the Panel and available on the Fast Track Website. The most substantive changes include:

- a) Extending a sewer main through Lot 505 to Lot 7000 (Bayview Nelson Limited).
- b) Moving the shared path on Road 1 to the west side of the road outside Lot 1000 (Arvida A).
- c) Amending the berm and carriageway width on Road 3.
- d) Amending the turnaround area at the end of Road 1.
- e) Extending services to the end of Road 1 and increasing the wastewater pipe to 225uPVC.

- **Attachment 13.7(V2)** Arvida Civils

9. Updated roading, water and drainage plans have been prepared in response to changes to the building and landscaping, and also to address the feedback received from the Nelson City Council. Key changes include:
  - a) Amending the external intersections with Road 1 to be a road intersection rather than a commercial crossing.
  - b) Adding traffic calming (planting) within Road 1.
  - c) Amending the intersection of Road 1 and Road 2 to remove the ‘awkward’ angle.

- **Attachment 14(V2)** Arvida Maitahi Village

10. An updated set of the Arvida design plans has been prepared, all now being labelled (V2) and redated June 2025. The changes have been made in response to changes to internal building and landscaping and also to address the feedback received from the Nelson City Council (17 June 2025). Other changes include:
  - a) Correcting the front yard compliance assessment (addressed in the RFI).
  - b) Some changes to villa designs and typologies, which has also resulted in fewer daylight breaches and a minor reduction in total site coverage.
  - c) The three entranceways being changed from commercial crossings to roading entranceways.

d) Traffic calming measures added to the internal loop road in Area A.

e) The internal intersection being made more perpendicular.

- **Attachment 15.1** Koata House – Landscape Concept

11. The ‘Koata House Landscape Concept’ was prepared in 2024 but not included with the Substantive Application. This is now provided to help demonstrate the standard of landscape amenity planned for Lot 1003.

- **Attachment 22.14** RM245447-340–Decision–Services-Bridges-Shared Pathway

12. Attachment 22 of the Substantive Application includes the documents supporting the Application for Resource Consent for the shared pathway, bridges and servicing (the enabling works) between the site and Nile Street East. Now that resource consent has been granted for these enabling works, a copy of the approved resource consent RM245447-340 is provided as a new attachment, also having particular relevance to a number of the comments from nearby residents.

- **Attachment 24(V2)** Assessment of Activity Status

13. Attachment 24 of the Substantive Application contains the assessment of activity status in relation to the relevant rules of the planning documents. Some amendments to Attachment 24 (V2) have now been made as a part of addressing the feedback from the Nelson City Council (dated 17 June 2025). In particular, item 76 of the Table of Feedback from Nelson City Council. This relates to a small number of zoning irregularities, also being the subject of comments received from Save the Maitai (**STM**).

14. As set out in Attachment 24(V2), the overall status of the Substantive Application has not changed.

**Attachment 25(V2) Volunteered Consent Conditions**

15. Version 2 (V2) of the proposed consent conditions are provided as Attachment 25(V2). Condition Sets A-M are provided separately, re-dated, and labelled as V2. These revised conditions are provided in response to Minutes 2 and 4 from the Panel, while also addressing comments received from other parties.

16. The V2 conditions are provided without ‘track changes’. Changes have included restructuring, redrafting and edits which would make ‘tracked versions’ too difficult to follow in most condition sets.
17. It is considered that V2 of the conditions will ensure the outcomes anticipated are appropriately ensured. The process of making these changes has also included:
- a) collaboration and assistance from the Nelson City Council, including its Senior Planners with particular skills and experience in drafting conditions for projects that require a wide range of relevant consent types.
  - b) careful consideration being given to the comments received, including for example, a number of constructive recommendations from the Forest and Bird Protection Society Incorporated.
  - c) careful consideration being given to the comments received from Save the Maitai Inc. and how various concerns might be addressed through conditions.
  - d) particular consideration given to the delivery of the cultural outcomes as set out in the Cultural Impact Assessment and feedback documents<sup>3</sup>. This includes:
    - i) the requirement for an iwi monitor to be mandated, and available to monitor earthworks at the discretion of the iwi monitor.
    - ii) that an accidental discovery protocol be followed in the event of discovery of archaeological material.
    - iii) contractors and subcontractors engage in a cultural induction.
    - viii) that as a part of the earthworks consent, the consent holder work in partnership with Ngati Koata and other iwi to define and integrate mātauranga Māori indicators of cultural health into the stream monitoring.

- e) a comprehensive review of all of the condition sets to correct and simplify the references to management plans.
18. As acknowledged above, the Nelson City Council provided valuable input and assistance in the preparation of V2 of the consent conditions. To be fair to the Council, there were changes made to the conditions right up to the point of this Memo being completed and the final version of V2 being attached. Not all of those changes have been considered fully by the Council.

### **Responses to Comments Received (by 25 June 2025)**

19. On 26 May 2025 the Expert Panel invited comments from those parties identified in Minute 4. As set out in the Panel's Memorandum of 3 July 2025, the applicant is required to provide its responses to the Comments on later than 11 July 2025. The applicant's responses have been tabulated and a table for each commentor is provided.
20. There is a large degree of overlap in the comments received. As such, the responses provided are (in parts) unavoidably repetitive between tables.
21. Several commentors make complaints about effects that are an inevitable consequence of the rezoning decision made in the Plan Change 28 proceedings. This includes construction effects. These same complaints were made in that forum. Some of the key findings on these matters are presented in a separate document entitled: *(See Extracts from PPC28 IHP Report)*. Fundamentally, it is the Applicant's position that the change from rural to urban (and the inevitable effects that follow) is not up for debate in this process. These matters were thoroughly canvassed and addressed during the PC28 process – the extracts provided are evidence of that.
22. Several comments also suggest that this is a particularly challenging site erosion and sediment wise. This particular issue was considered with great care during the one Environment Court appeal on the PC28 decision. Factual findings of the Environment Court as to the background erosion and sediment risk are collated in

a document which is also included as part of the applicant's response to comments. (See *Factual Findings from the Env Court*)

23. Please contact me if you have any queries.

A handwritten signature in black ink, appearing to read 'Mark Lile', with a stylized, cursive script.

**Mark Lile**

Consultant Planner

CCKV Maitai Dev Co LP